

AF/2672
Patent



David G. Opstad et al.

Group Art Unit: 2672

Examiner: Hwa C. Lee

Confirmation No.: 4127

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On January 11, 2005, the Board of Patent Appeals and Interferences issued an Order Returning Undocketed Appeal to Examiner (Paper No. 26) returning the above-captioned application to the Examiner for consideration of the Information Disclosure Statement (IDS) dated November 13, 2000. However, on February 13, 2001, the Office issued a non-final Office Action that included as an attachment a copy of a PTO 1449 form submitted with the November 13, 2000 IDS. Attached herewith is a copy of the February 13, 2001 Office Action and attachments. It is to be noted that the PTO 1449 form includes Examiner Havan's initials next to the single document listed (i.e., U.S. Patent No. 5,675,718), which indicates that the Examiner had considered this document.

Applicant believes the attached Office Action and attachments make it clear that the Examiner considered the IDS and document cited therein. It is respectfully

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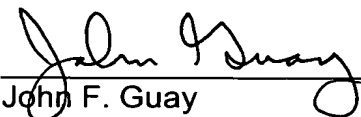
VA 698684.1

requested, therefore, that the application be returned promptly to the Board for decision of the appeal.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: February 23, 2005

By: 
John F. Guay
Registration No. 47,248

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**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/306,888 05/07/99 JPSTAD

D P2380-505

021839 TM02/0213
BURNS DOANE SWECKER & MATHIS L L P
POST OFFICE BOX 1404
ALEXANDRIA VA 22313-1404

EXAMINER

DAVAN, T.

ART UNIT

PAPER NUMBER

2672
DATE MAILED:

02/13/01



Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

COPY

001580-505

Justia
BURNS DOANE SWECKER & MATHIS, L.L.P.
RECEIVED 2/20/01
FEB 16 2001
vxc 2/20/01
DOCKETED *DOB*

*Apple Computer Inc
Response Due 5/13/01*

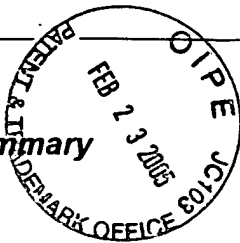
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TP

Office Action Summary



Application No.

09/306,888

Applicant(s)

OPSTAD ET AL.

Examiner

Thu-Thao Havan

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

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Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:



DETAILED ACTION

Drawings

The drawings in this application are accepted by the Draftsperson.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brock et al. (US patent no. 5,664,086).

1. As to claims 1, 11, 16, 26, and 29, the prior art Brock had:

A.) The step of retrieving glyphs from a font which correspond to characters in a string of characters (col. 5, lines 25-67; col. 6, lines 1-13; fig. 22-23). Brock teaches a glyph comprises a unitary character on a piece of character and the character is a font. As discloses, Brock teaches this part of the claim.

B.) The step of determining whether the font contains a predetermined data table that pertains to the layout of glyphs (col. 10, lines 53-67; col. 11; fig. 21-26). The base font in Brock contains a predetermined data table that pertains to the layout of glyphs. Furthermore, Brock discloses the font directory table having a list of offsets to the output font descriptors in the Font Description Table.

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MAR 02 2005

Technology Center 2600

Art Unit: 2672

C.) The step of automatically synthesizing the data table, based upon data contained in the font, if the font is determined not to contain the data table (**col. 12, lines 31-38; fig. 27-29**). Brock teaches the automatically synthesizing the data table when he discloses the algorithm as a pseudo-code form. Figure 29 of Brock discloses the steps of automatically synthesizing the font based upon available font.

D.) The step of generating an image of the laid-out line of glyphs (**fig. 15-17, 23-24, and 29**).

Figures 15-17 discloses an image of the laid-out of glyphs.

However, Brock fails to explicitly teach the step of laying out the glyphs in a line, in accordance with the data in the table. Nevertheless, Brock teaches the table Font Names is a table of strings for all the font names defined in the Font Directory. The Font Directory table is a list of offsets to the output font descriptors in the Font Description Table. Brock does not use the exact phrase of “laying out the glyphs in a line,” but the functionality of the Font Directory table corresponds to the limitation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the step of laying out the glyphs in a line, in accordance with the data in the table because Brock teaches the Font Directory table (**col. 10 and 11; fig. 15-17, 23-25, and 29**).

2. As to claims 4-5, 13-14, 20, 27, Brock discloses the annex file (**col. 2 and 3; col. 5, lines 15-24; fig. 1**). The annex file is the descriptor file in Brock. The functionality of the descriptor file is equivalent to the annex file.

3. As to claims 6-8, 17-19, 22-25, and 30-31, Brock discloses the font map (**col. 6, lines 28-67; col. 7, lines 1-29; col. 11, lines 13-49**). Brock teaches a mapping of design features for the glyph to the font-wide design features.

Art Unit: 2672

4. As to claims 9-10, 21, and 28, Brock discloses the step of automatically synthesizing the data table comprises the steps of retrieving data from the font and storing the retrieved data in a table having a predetermined data format (col. 5-10; fig. 9-23).

5. The limitations of claims 2-3, 12, and 15 are analyzed as discussed with respect to claims 1, 11, 16, 26, and 29 above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Torres, US Patent No. 5,001,697

Opstad et al., US Patent No. 5,416,898

Hashizume et al., US Patent No. 5,513,278

Manning, US Patent No. 6,043,826

Nanjo et al., US Patent No. 5,778,361

Beaman et al., US Patent No. 5,926,189

Beaman et al., US Patent No. 6,091,505

Kanungo et al., US Patent No. 5,870,084

Howlett et al., US Patent No. 5,710,880

Art Unit: 2672

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062.

The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-6606 for regular communications and (703)308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9500.

Thu-Thao Havan

February 8, 2001

A handwritten signature in black ink, appearing to read 'M. Razavi', with a long horizontal flourish extending to the right.

**MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**

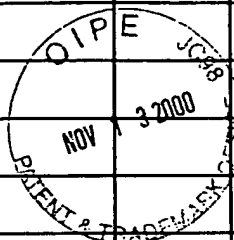
APPLICANT
David G. OPSTAD

FILING DATE
May 7, 1999

GROUP
2772

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
FH	5,675,718	10/07/97	Miller			



FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

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DATE CONSIDERED

2/5/01

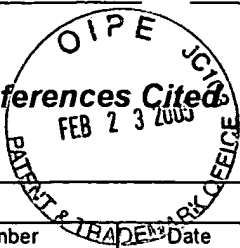
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Notice of References Cited



Application/Control No.

09/306,888

Applicant(s)/Patent Under
Reexamination
OPSTAD ET AL.

Examiner

Thu-Thao Havan

Art Unit

2672

Page 1 of 1

U.S. PATENT DOCUMENTS

* A	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification	
✓	A US-6,091,505- ✓	07-2000	Beaman et al.	358	1 11
✓	B US-6,043,826- ✓	03-2000	Manning	345	467
✓	C US-5,926,189-	07-1999	Beaman et al.	345	467
✓	D US-5,870,084- ✓	02-1999	Kanungo et al.	345	192
✓	E US-5,778,361- ✓	07-1998	Nanjo et al.	707	5
✓	F US-5,710,880- ✓	01-1998	Howlett et al.	345	468
✓	G US-5,664,086- ✓	09-1997	Brock et al.	345	468
✓	H US-5,513,278- ✓	04-1996	Hashizume et al.	382	187
✓	I US-5,416,898- ✓	05-1995	Opstad et al.	345	468
✓	J US-5,001,697- ✓	03-1991	Torress	345	439
	K US- -				
	L US- -				
	M US- -				

FOREIGN PATENT DOCUMENTS

* A	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification	
	N - -					
	O - -					
	P - -					
	Q - -					
	R - -					
	S - -					
	T - -					

NON-PATENT DOCUMENTS

* A	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

NOTICE OF DRAFTPERSON'S PATENT DRAWING REVIEW

The drawing filed (insert date) 1/7/99 are:

A. not objected to by the Draftperson under 37 CFR 1.84 or 1.152.

B. objected to by the Draftperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings where necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

- | | |
|---|--|
| <p>1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:
Black ink. Color.
____ Color drawing are not acceptable until petition is granted.
Fig(s) _____
____ Pencil and non black ink is not permitted. Fig(s) _____</p> <p>2. PHOTOGRAPHS. 37 CFR 1.84(b)
____ Photographs are not acceptable until petition is granted,
____ 3 full-tone sets are required. Fig(s) _____
____ Photographs not properly mounted (must be on board or photographic double-weight paper). Fig(s) _____
____ Poor quality (half-tone). Fig(s) _____</p> <p>3. TYPE OF PAPER. 37 CFR 1.84(c)
____ Paper not flexible, strong, white and durable.
Fig(s) _____
____ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not acceptable. (too thin)
____ Mylar, vellum paper is not acceptable (too thin).
Fig(s) _____</p> <p>4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
____ 21.0 cm by 29.7 cm (DIN size A4)
____ 21.6 cm by 27.9 cm (8 1/2 x 11 inches)
____ All drawings sheets not the same size.
Sheet(s) _____</p> <p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins:
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: A4 Size
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: 8 1/2 x 11
____ Margins not acceptable. Fig(s) _____
____ Top (T) _____ Left (L)
____ Right (R) _____ Bottom (B)</p> <p>6. VIEWS. CFR 1.84(h)
REMINER: Specification may require revision to correspond to drawing changes.
____ Views connected by projection lines or lead lines.
Fig(s) _____
____ Partial views. 37 CFR 1.84(h)(2)
____ Brackets needed to show figure as one entity.
Fig(s) _____
____ Views not labeled separately or properly.
Fig(s) _____
____ Enlarged view not labeled separately or properly.
Fig(s) _____</p> | <p>7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)
____ Hatching not indicated for sectional portions of an object.
Fig(s) _____
____ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p> <p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
____ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned, so that the top becomes the right side, except for graphs. Fig(s) _____
____ Views not on the same plane on drawing sheet. Fig(s) _____</p> <p>9. SCALE. 37 CFR 1.84(l)
____ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.
Fig(s) _____</p> <p>10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)
____ Lines, numbers & letters not uniformly thick and well defined, clean, durable and black (poor line quality).
Fig(s) _____</p> <p>11. SHADING. 37 CFR 1.84(m)
____ Solid black areas pale. Fig(s) _____
____ Solid black shading not permitted. Fig(s) _____
____ Shade lines, pale, rough and blurred. Fig(s) _____</p> <p>12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.48(p)
____ Numbers and reference characters not plain and legible.
Fig(s) _____
____ Figure legends are poor. Fig(s) _____
____ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(3) Fig(s) _____
____ English alphabet not used. 37 CFR 1.84(p)(3) Fig(s) _____
____ Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig(s) _____</p> <p>13. LEAD LINES. 37 CFR 1.84(q)
____ Lead lines cross each other. Fig(s) _____
____ Lead lines missing. Fig(s) _____</p> <p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.48(i)
____ Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Fig(s) _____</p> <p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
____ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p> <p>16. CORRECTIONS. 37 CFR 1.84(w)
____ Corrections not made from PTO-948 dated _____</p> <p>17. DESIGN DRAWINGS. 37 CFR 1.152
____ Surface shading shown not appropriate. Fig(s) _____
____ Solid black shading not used for color contrast.
Fig(s) _____</p> |
|---|--|

COMMENTS

REVIEWER DATE 2/4/99 TELEPHONE NO.

ATTACHMENT TO PAPER NO. 5

APPLICANT'S COPY